

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Peter Frank Rotondo Jr.
aka Peter Rotondo
Debtor(s)

Bankruptcy Case No.: 18-24020-GLT
Issued Per 12/10/2018 Proceeding
Chapter: 13
Docket No.: 32 - 11
Concil. Conf.: May 23, 2019 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 29, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on May 23, 2019 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: December 12, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Peter Frank Rotondo, Jr.
 Debtor

Case No. 18-24020-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 37

Date Rcvd: Dec 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 14, 2018.

db +Peter Frank Rotondo, Jr., 129 Grant Avenue, Pittsburgh, PA 15209-2607
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14937359 +AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: Americredit Financial Services, Inc., dba GM Financial,
 PO Box 183853, Arlington, TX 76096)
 14951161 +American Recovery Service, Inc., 555 St. Charles Drive, Suite 100,
 Thousand Oaks, CA 91360-3983
 14930693 +Barclays Bank Delaware, PO Box 8803, Wilmington, DE 19899-8803
 14930694 +CBCS, PO Box 2724, Columbus, OH 43216-2724
 14962260 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14951162 +Central Credit Services LLC, 9550 Regency Square Blvd. Ste 500A,
 Jacksonville, FL 32225-8169
 14930695 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14930696 +Citibank N.A., 399 Park Avenue, New York N.Y. 10022-4614
 14930697 +Citicards CBNA, PO Box 6241, Sioux Falls, SD 57117-6241
 14930698 +Citizens Bank, NA, 770 Legacy Pl, Dedham, MA 02026-6837
 14951164 +D & A Services, 1400 E. Touchy Ave Ste G2, Des Plaines, IL 60018-3338
 14930699 Duquesne Light, c/o Peter J. Ashcroft, Esq., Suite 2200 Gulf Tower, Pittsburgh, PA 15219
 14951165 +ERC, PO Box 23870, Jacksonville, FL 32241-3870
 14951166 +Frederic Weinberg Law Offices, 375 E. Elm Street, Ste 210, Conshohocken, PA 19428-1973
 14930700 +Gmfinancial, PO Box 181145, Arlington, TX 76096-1145
 14930701 +Jason R. Johns, Esquire, 633 Long Run Road, McKeesport, PA 15132-7449
 14951168 +MRS BPO L.L.C., 1930 Olney Ave, Cherry Hill, NJ 08003-2016
 14930705 +PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180
 14930704 +Peoples Natural Gas, PO Box 535323, Pittsburgh, PA 15253-5323
 14951169 +Radius Global Solutions LLC, PO Box 390905, Minneapolis, MN 55439-0905
 14959357 +Sherman Originator III LLC, c/o Resurgent Capital @ PO Box 10497, Greenville, SC 29603-0497
 14930706 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
 14959290 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 14930707 +Wells Fargo Dealer Services, PO Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/Text: kbarkley@bernsteinlaw.com Dec 13 2018 04:02:41 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14951163 +E-mail/Text: abovay@creditmanagementcompany.com Dec 13 2018 04:02:03
 Credit Management Company, PO Box 16346, Pittsburgh, PA 15242-0346
 14951167 +E-mail/Text: bknotificationdistribution@jhcapiatgroup.com Dec 13 2018 04:03:00
 JH Portfolio Debt Equities LLC, 5757 Phantom Dr. Ste 225, Hazelwood, MO 63042-2429
 14930702 +E-mail/Text: bnckohlnotices@becket-lee.com Dec 13 2018 04:00:03 Kohl/Capital One,
 PO Box 3115, Milwaukee, WI 53201-3115
 14960406 E-mail/PDF: resurgentbknotifications@resurgent.com Dec 13 2018 03:57:54 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14930703 +E-mail/Text: bk@lendingclub.com Dec 13 2018 04:02:09 Lending Club, Dept. 34268,
 PO Box 39000, San Francisco, CA 94139-0001
 14963367 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 13 2018 04:21:54
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14955496 E-mail/Text: bnc-quantum@quantum3group.com Dec 13 2018 04:00:30
 Quantum3 Group LLC as agent for, Galaxy International Purchasing LLC, PO Box 788,
 Kirkland, WA 98083-0788
 14946276 E-mail/Text: bnc-quantum@quantum3group.com Dec 13 2018 04:00:30
 Quantum3 Group LLC as agent for, JH Portfolio Debt Equities LLC, PO Box 788,
 Kirkland, WA 98083-0788
 14951170 +E-mail/Text: compliance@sentrycredit.com Dec 13 2018 04:02:49 Sentry Credit, Inc.,
 PO Box 12070, Everett, WA 98206-2070
 14930708 +E-mail/Text: bankruptcydept@wyn.com Dec 13 2018 04:02:06 Wynham Vacation Resorts, Inc.,
 10750 W Charleston Blvd., Last Vegas NV 89135-1049

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK NATIONAL ASSOCIATION
 14959334* +American Recovery Service, Inc., 555 St. Charles Drive, Suite 100,
 Thousand Oaks, CA 91360-3983
 14959335* +Barclays Bank Delaware, PO Box 8803, Wilmington, DE 19899-8803
 14959336* +CBCS, PO Box 2724, Columbus, OH 43216-2724
 14959337* +Central Credit Services, LLC, 9550 Regency Square Blvd. Ste 500A,
 Jacksonville, FL 32225-8169
 14959338* +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
 14959339* +Citibank N.A., 399 Park Avenue, New York N.Y. 10022-4614
 14959340* +Citicards CBNA, PO Box 6241, Sioux Falls, SD 57117-6241
 14959341* +Citizens Bank, NA, 770 Legacy Pl, Dedham, MA 02026-6837
 14959342* +Credit Management Company, PO Box 16346, Pittsburgh, PA 15242-0346
 14959343* +D & A Services, 1400 E. Touchy Ave Ste G2, Des Plaines, IL 60018-3338

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 37

Date Rcvd: Dec 12, 2018

***** BYPASSED RECIPIENTS (continued) *****

14959344* Duquesne Light, c/o Peter J. Ashcroft, Esq., Suite 2200 Gulf Tower, Pittsburgh, PA15219
14959345* +ERC, PO Box 23870, Jacksonville, FL 32241-3870
14959346* +Frederic Weinberg Law Offices, 375 E. Elm Street, Ste 210, Conshohocken, PA 19428-1973
14959347* +Gmfinancial, PO Box 181145, Arlington, TX 76096-1145
14959349* +JH Portfolio Debt Equities LLC, 5757 Phantom Dr Ste 225, Hazelwood, MO 63042-2429
14959348* +Jason R. Johns, Esquire, 633 Long Run Road, McKeesport, PA 15132-7449
14959350* +Kohl/Capital One, PO Box 3115, Milwaukee, WI 53201-3115
14959351* +Lending Club, Dept. 34268, PO Box 39000, San Francisco, CA 94139-0001
14959352* +MRS BPO, L.L.C., 1930 Olney Ave, Cherry Hill, NJ 08003-2016
14959354* +PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180
14959353* +Peoples Natural Gas, PO Box 535323, Pittsburgh, PA 15253-5323
14959355* +Radius Global Solutions LLC, PO Box 390905, Minneapolis, MN 55439-0905
14959356* +Sentry Credit, Inc., PO Box 12070, Everett, WA 98206-2070
14959358* +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
14959359* +Wells Fargo Dealer Services, PO Box 1697, Winterville, NC 28590-1697
14959360* +Wynham Vacation Resorts, Inc., 10750 W Charleston Blvd., Last Vegas NV 89135-1049
TOTALS: 1, * 26, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
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Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 12, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Jason R. Johns on behalf of Debtor Peter Frank Rotondo, Jr. jimmy98761@aol.com,
jimmy98761@hotmail.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
DMcKay@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6